

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 05-CR-136

-vs-

BILAL MUHAMMAD,

Defendant.

ORDER

The defendant, Bilal Muhammad (“Muhammad”), was found guilty by a jury of Counts One and Two of the Superceding Indictment in the above-captioned case.

Muhammad now moves the Court, pursuant to Fed. R. Crim. P. 29(c), for judgment of acquittal on the grounds that the evidence at trial was insufficient to support the defendant’s convictions. Muhammad also moves the Court for a new trial pursuant to Fed. R. Crim. P. 33(a) and (b)(2). The Court has read the briefs submitted and reviewed the facts of this case and the Court’s legal rulings and rules as follows. Muhammad’s motions are denied.

The parties have correctly stated the Rule 29(c) standard of review. Pursuant to Rule 29(c), the trial court must decide whether there is relevant evidence from which the jury can reasonably find the defendant guilty beyond a reasonable doubt, viewing the evidence in the light most favorable to the government.

Applying that standard to the relevant facts elicited at trial compels the Court to conclude that while a great deal of the evidence was circumstantial, it was evidence that allowed the jury to conclude as they did.

Muhammad's motion for a new trial rests on two things. The allowance of the showing of a video tape and the failure of this Court to give a venue instruction. Relative to those objections, this court adopts the reasoning it used at trial in denying Muhammad's motions.

**NOW, THEREFORE, BASED ON THE FOREGOING IT IS
HEREBY ORDERED THAT:**

1. Muhammad's motion for judgment of acquittal is **DENIED**.
2. Muhammad's motion for new trial is **DENIED**.

Dated at Milwaukee, Wisconsin, this 20th day of October, 2005.

SO ORDERED,

s/ Rudolph T. Randa
HON. RUDOLPH T. RANDA
Chief Judge